

AGENDA SESSION  
November 14, 2018 4:30 p.m.  
Meeting Minutes

Vice Chairman Tollisen called the meeting to order and welcomed those in attendance.

Roll call was taken. PRESENT – Timothy Szczepaniak, Alan Grattidge, Philip C. Barrett, Richard Lucia, Preston Allen, Jean Raymond, Michael Smith, Daniel Pemrick, Kevin Tollisen, Vincent DeLucia, Theodore Kusnierz, Scott Ostrander, Willard H. Peck, Thomas N. Wood, III, Tara N. Gaston, Matthew Veitch, Edward D. Kinowski, John Lawler, Arthur J. Johnson – 19. ABSENT - Jonathon Schopf, Arthur Wright, Thomas Richardson, Sandra Winney – 4.

On a motion by Mr. Grattidge, seconded by Mr. Peck the minutes of the October 10, 2018 meeting were unanimously approved.

Mr. Tollisen asked for a motion to accept the agenda for the November 20, 2018 Board meeting as presented and approved by the Law and Finance Committee prior to this meeting. The motion was made by Mr. Wood and seconded by Mr. DeLucia. Unanimous.

On a motion by Mr. Allen, seconded by Mr. Lucia the meeting was unanimously adjourned.

Respectfully submitted,

Pamela Wright  
Clerk of the Board

PROPOSED RESOLUTIONS

ECONOMIC DEVELOPMENT

Agreeing to accept an easement from the New York State Office of General Services for the construction of a 0.5-mile section of the Champlain Canalway Trail in the Village of Schuylerville.

HEALTH & SOCIAL SERVICES

Authorizing Community Mental Health renewal contracts for 2019.

Authorizing a contract with VNA Homecare Options, LLC for the reimbursement of County costs for meals for managed long term care clients in the amount of \$8.75 per meal.

Authorizing an amendment to Resolution 255-2017 to increase the contract amount for Lena's Adult Day Services from \$10,000 to \$20,000 and for Bright Horizons Adult Day Services from \$20,000 to \$30,000.

Authorizing 2019-2020 annual implementation plan and 2019 subcontracts for the Office for the Aging.

HUMAN RESOURCES & INSURANCE

Authorizing the County Administrator to be Designated Appointing Authority to sign MSD 426 and matters pertaining to discipline.

Appointing David DeCelle to fill the County Coroner position vacated by Dan Kuhn due to resignation.

REAL PROPERTY TAX

Conveyance of three (3) tax foreclosed parcels to the Town of Milton.

PUBLIC WORKS

Authorize a contract with County Waste and Recycling Service, Inc. for the transportation, processing and recovery of recyclables and scrap metal from the County's recycling centers and the Edinburg Town Highway Garage.

Authorize the acceptance of 25,091 Sq. Ft. of property along Geyser Road from Munter Land Holdings, LLC for the purposes of maintaining the C.P. Rail access road within County R.O.W.

Authorize a shared services agreement with NYSDOT for mutual emergency assistance to maintain state and county roads.

Authorizing a subordination agreement with Saratoga National Bank and Trust Company for the Malta Ridge Volunteer Fire Company for 2 parcels on County Road 63 adjacent to the Malta Ridge Firehouse.

PUBLIC SAFETY

Authorize acceptance of a NYS Division of Criminal Justice Services grant for the Ignition Interlock Device Monitoring program in the amount of \$19,865.

Authorizing a contract with Motorola Solutions in the amount of \$421,734 for services associated with expanding the County's 800 MHz radio system.

Authorize a renewal agreement with Jody O'Neill for Social Worker related services in the Public Defender's Office.

Authorizing a contract with Albany Medical Center to perform forensic autopsies at a cost of \$2,000 per autopsy in addition to x-ray and lab services costs.

LAW & FINANCE

Authorizing a transfer from the open space reserve in the amount of \$15,805 to fund a previously approved open space projects in the Town of Moreau and amending the budget in relation thereto.

Authorizing a budget amendment for the Public Safety Facility project to recognize the receipt of bond proceeds.

Authorizing JP Morgan Chase Bank as a qualified bank for the purposes of facilitating transactions for the County's self-insured employee health care program with CDPHP.

Adopting the 2019 County Budget (TO BE TABLED).

Appropriating amounts finally set forth in the 2019 Saratoga County Budget (TO BE TABLED).

Setting December 5, 2018 at 4:30 pm in the County Board Room as the date, time and place for the public hearing on the 2019 tentative Saratoga County Budget as amended.

Approving the 2019 Tax Bill Flyer, pursuant Local Law introductory #1, Print #1 of 2012, establishing Truth in Taxation in Saratoga County.

Adopting a Local Law identified as Introductory No. 3, Print No. 1 of 2018 entitled "A Local Law Requiring Payment In Lieu Of Taxes (PILOT) Agreements For Solar Energy Systems Located Or Installed In Saratoga County".

REGULAR MEETING  
 TUESDAY, NOVEMBER 20, 2018  
 AT 4:00 p.m., E.S.T.

Chairman Kinowski called the meeting to order.

Roll call was taken. PRESENT – Timothy Szczepaniak, Philip C. Barrett, Jonathon Schopf, Preston Allen, Jean Raymond, Michael Smith, Daniel Pemrick, Arthur M. Wright, Kevin Tollisen, Vincent DeLucia, Thomas Richardson, Scott Ostrander, Theodore Kusnierz, Sandra Winney, Thomas N. Wood, III, Tara Gaston, Matthew Veitch, Edward D. Kinowski, John Lawler, Arthur J. Johnson – 19. ABSENT – Alan Grattidge, Richard Lucia, Willard H. Peck - 3.

On a motion by Mr. Veitch, seconded by Mr. Wood the minutes of the October 16, 2018 meeting were unanimously approved.

The Clerk presented the following:

Letter from Tina Potter, Commissioner of Social Services thanking the Board for the donation of proceeds from the golf outing for the purchase of duffel bags. Caseworkers have had the opportunity to give some of these bags out and the children are very thankful and excited to receive them.

Received and Filed

Letter from New York State Homeland Security and Emergency Services announcing a Statewide Interoperable Communications Grant Program award.

Received and Filed

Report No. 3 – Mortgage Tax Report

To the Honorable Board of Supervisors of Saratoga County:

The following is a report of the Mortgage Tax collected and to be distributed to Cities, Towns and Villages; and the County Treasurer is hereby authorized and directed to pay such amounts.

Amount in the hands of the County Treasurer for distribution in County after adjustments, deduction of expenses and payments of State's share is \$4,093,226.24 distributed to Cities, Towns and Villages as follows:

BALLSTON	\$ 295,118.27
BALLSTON SPA (BALL)	\$ 10,794.08
MILTON	\$ 215,706.95
BALLSTON SPA (MILTON)	\$ 24,675.72
CHARLTON	\$ 61,961.30
CLIFTON PARK	\$ 729,944.20
CORINTH	\$ 51,431.50
CORINTH (VILLAGE)	\$ 18,118.70
DAY	\$ 17,799.38
EDINBURG	\$ 16,498.41
GALWAY	\$ 39,823.87
GALWAY (VILLAGE)	\$ 607.48
GREENFIELD	\$ 120,445.73
HADLEY	\$ 16,472.55
HALFMOON	\$ 448,569.20
MALTA	\$ 351,407.02

ROUND LAKE (VILLAGE)	\$ 7,077.71
MECHANICVILLE	\$ 36,602.85
MOREAU	\$ 170,996.09
SO. GLENS FALLS (VILLAGE)	\$ 19,179.93
NORTHUMBERLAND	\$ 66,532.33
PROVIDENCE	\$ 31,856.08
SARATOGA	\$ 91,552.35
SCHUYLERVILLE (VILLAGE)	\$ 6,786.41
VICTORY (VILLAGE)	\$ 2,355.69
SARATOGA SPRINGS	\$ 708,841.09
STILLWATER	\$ 116,952.94
STILLWATER (VILLAGE)	\$ 7,131.16
WATERFORD	\$ 77,416.33
WATERFORD (VILLAGE)	\$ 3,937.06
WILTON	\$ 326,633.85
TOTAL	\$4,093,226.24

On a motion by Mr. DeLucia, seconded by Mr. Richardson, Report No. 3 was unanimously approved.

Cash Statement for Taxes Collected Pursuant to Article 11

Basic Tax Distributed

Months	Taxes Collected	Interest Received by Recording	Recording Officer's Expense	Refunds	Amount Paid Treasurer
2018 Apr	669,538.00	8.25	5,026.19		664,520.06
May	584,289.44	10.19	5,164.97		579,134.22
Jun	803,424.25	10.74	5,128.51		798,306.48
Jul	705,166.13	10.34	5,141.51		700,034.96
Aug	720,352.38	474.87	5,171.46		715,655.79
Sep	634,515.76	508.22	5,104.62		629,919.36
TOTALS	4,117,285.52	1,022.61	30,737.26		4,087,570.87

Treasurer

All Other Taxes Distributed

	Interest Received by Treasurer	Tax Districts Share	Additional Tax	Special Additional Tax
2018 Apr	422.64	664,942.70	320,225.18	282,285.66
May	268.47	579,402.69	275,149.28	220,272.47
Jun	124.86	798,431.34	381,591.40	311,852.45
Jul	224.17	700,259.13	334,169.84	270,601.60

Aug	2,005.12	717,660.91	348,385.08	262,155.81
Sep	2,610.11	632,529.47	301,301.61	251,381.74
TOTALS	5,655.37	4,093,226.24	1,960,822.39	1,598,549.73

On a motion by Mr. Tollisen, seconded by Mr. Wright Resolutions 253, 263, and 264 were tabled by the following vote:

AYES (177270): Timothy Szczepaniak (9776), Philip C. Barrett (18352.5), Jonathon Schopf (18352.5), Preston Allen (856), Jean Raymond (1214), Michael Smith (3545), Daniel Pemrick (7775), Arthur M. Wright (2048), Kevin Tollisen (21,535), Vincent DeLucia (14765), Thomas Richardson (5196), Scott Ostrander (18575), Theodore Kusnierz (14728), Sandra Winney (1995), Thomas N. Wood, III (5674), Edward D. Kinowski (8287), John Lawler (8423), Arthur J. Johnson (16173).

NOES (42337): Alan Grattidge (4133), Richard Lucia (6531), Willard H. Peck (5087), Tara Gaston (13293), Matthew Veitch (13293).

On a motion by Mr. Veitch, seconded by Mr. Wright Resolutions 244 through 267 with the exception of 253, 263, and 264 were adopted by a unanimous vote.

Mr. Tollisen recused himself from Resolution #258.

#### RESOLUTION 244 - 2018

Introduced by Supervisors Veitch, Barrett, Grattidge, Johnson, Lawler, Ostrander, and Richardson

#### AGREEING TO ACCEPT AN EASEMENT FROM THE NEW YORK STATE OFFICE OF GENERAL SERVICES FOR THE CONSTRUCTION OF A .5 MILE SECTION OF THE CHAMPLAIN CANALWAY TRAIL IN THE VILLAGE OF SCHUYLERVILLE

WHEREAS, in January 2017, Governor Cuomo announced the creation of the Empire State Trail, which when completed in 2020 will be the nation's longest state multi-use trail, and will consist of a 750-mile bicycle and walking trail that will run from New York City through the Hudson and Champlain Valleys to Canada, and from Albany to Buffalo on the Erie Canalway Trail; and

WHEREAS, a section of the Empire State Trail known as the Champlain Canalway Trail is a 61 mile long linear trail area primarily along the old Champlain Canal Towpath from the Village of Waterford in Saratoga County in the south to the Village of Whitehall in Washington County in the north; and

WHEREAS, as part of the larger Empire State Trail initiative, New York will make significant investments – totaling \$12 million – to build new sections of the Champlain Canalway Trail and to improve on-road bicycling routes connecting Waterford to Whitehall, New York; and

WHEREAS, the Empire State Trail initiative will dramatically extend existing sections of the Champlain Canalway Trail, which is a stone-dust bicycling and walking trail largely built on the towpath adjacent to both the historic and active Champlain Canal; and

WHEREAS, various trail construction projects will be completed through a partnership involving the New York State Canal Corporation, the New York State Department of Transportation, and will involve county and local agencies; and

WHEREAS, when completed, the Empire State Trail will include a .5 mile section over land owned by the New York State Office of General Services (“NYS OGS”) in the Village of Schuylerville from the foot bridge south of the U.S. Post Office on New York State Route 29 to Reds Road; and

WHEREAS, this .5 mile section of the Trail is proposed to be constructed on a portion of the former landfill of the Village of Schuylerville, but would not be constructed unless and until NYS OGS conducts a limited environmental remediation and capping of the landfill property, which plans for such remediation and capping would be subject to the approval of the New York State Department of Environmental Conservation; and

WHEREAS, NYS OGS has not committed to conducting a minor remediation and capping of the former landfill site in the Village of Schuylerville, but is reviewing various options and cost estimates for doing so; and

WHEREAS, as NYS OGS will not be constructing the Trail, it is seeking a municipal partner to assist in and facilitate the construction of said .5 mile trail section; and

WHEREAS, NYS OGS is seeking the County’s agreement to accept an easement from NYS OGS for the construction of said .5 mile section of the Champlain Canalway Trail in the event NYS OGS does conduct a limited environmental remediation and capping of the former landfill site; and

WHEREAS, pursuant to Resolution 174-13, the Saratoga County Board of Supervisors endorsed the construction of the Champlain Canalway Trail, and agreed to participate in collaborative planning and implementation efforts for the Trail; and

WHEREAS, our Economic Development Committee has recommended that the County agree to accept an easement from NYS OGS for the construction of the proposed .5 mile section of the Champlain Canalway Trail over the former Village of Schuylerville landfill, subject to: 1) NYS OGS conducting an environmental remediation and capping of the landfill site in a manner approved by the New York State Department of Environmental Conservation; and 2) NYS OGS executing a release and hold harmless agreement with the County of Saratoga releasing, indemnifying and holding the County harmless for any liability, claims, causes of actions, demands, judgments, and damages whatsoever arising directly or indirectly from the County’s use of the easement; now, therefore, be it

RESOLVED, that this Board of Supervisors hereby agrees to accept the conveyance of any easement from the New York State Office of General Services to the County of Saratoga for the construction of a proposed .5 mile section of the Champlain Canalway Trail over the former Village of Schuylerville landfill, subject to: 1) NYS OGS conducting an environmental remediation of the landfill site in a manner approved by the New York State Department of Environmental Conservation; and 2) NYS OGS executing a release and hold harmless agreement with the County of Saratoga releasing, indemnifying and holding the County harmless for any liability, claims, causes of actions, demands, judgments, and damages whatsoever arising directly or indirectly from the County’s use of the easement; and be it further

RESOLVED, that the Chair of the Board is hereby authorized to execute any agreements and instruments necessary to accept an easement and related documents from NYS OGS that fully complies with the foregoing conditions, with the form and content of such agreements and instruments to be subject to the approval of the County Attorney; and be it further

RESOLVED, that this Resolution does not commit the County to either fund, construct or serve as project administrator for the proposed .5 mile section of the Canalway Trail, which actions shall be left to future resolutions of this Board.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 245 - 2018

Introduced by Supervisors Lucia, DeLucia, Gaston, Kusnierz, Richardson, Winney and Wood

AUTHORIZING ONGOING MENTAL HEALTH CONTRACTS FOR 2019

WHEREAS, the Community Services Board assists our Commissioner of Mental Health and Addiction Services in administrating the County’s many varied mental health programs; and

WHEREAS, current contracts with certain mental health service providers will expire on December 31, 2018; and

WHEREAS, our Health and Social Services Committee has recommended that said expiring contracts be renewed for a term of one year; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute renewal agreements for a term of one year commencing on January 1, 2019 and terminating on December 31, 2019 with the following agencies to provide for the indicated funding for their services, subject to State appropriations therefor:

ORGANIZATION	TOTAL	FUNDING LINE
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Albany Diocesan School Board aka/Roman Catholic Diocese of Albany	\$ 27,278	NYS OASAS - \$27,278
The Alcohol and Substance Abuse Prevention Council of Saratoga, Inc.	\$ 655,715	NYS OASAS - \$640,199 Saratoga County - \$15,516
Captain Community Human Services Corp.	\$ 29,356	NYS OMH - \$29,356
Center for Disability Services, Inc. aka/United Cerebral Palsy of the Tri-Counties, Inc.	\$ 10,264	Saratoga County - \$10,264
Community, Work and Independence, Inc.	\$ 18,824	NYS OMH - \$8,560 Saratoga County - \$10,264
Franklin Community Center, Inc.	\$ 55,253	NYS OASAS - \$55,253
Mechanicville Area Community Services Center, Inc.	\$ 11,412	NYS OMH - \$9,941 NYS OASAS - \$1,471
The Workshop Inc., T/A	\$ 13,721	NYS OMH - \$13,721 Northeast Career Planning
Northeast Parent and Child Society, Inc.	\$ 12,833	NYS OMH - \$12,833
Rehabilitation Support Services, Inc.	\$ 127,723	NYS OMH - \$127,723
Saratoga Bridges, NYS Association for Retarded Citizens, Inc., Saratoga County Chapter	\$ 216,416	NYS OMH - \$8,209 Saratoga County - \$111,534 NYS OPWDD - \$96,673
Saratoga Center for the Family, Inc.	\$ 18,630	NYS OMH - \$7,545 Saratoga County - \$11,085
Shelters of Saratoga, Inc.	\$ 38,439	NYS OMH - \$38,439
Transitional Services Association, Inc.	\$1,425,924	NYS OMH - \$1,172,537 NYS OASAS - \$253,387
Unlimited Possibilities, Inc. d/b/a Unlimited Potential	\$ 635,206	NYS OMH - \$588,646 NYS OPWDD - \$10,137 Saratoga County - \$36,423

and, be it further

RESOLVED, that the form and content of such contracts shall be subject to the approval of the County Attorney; and be it further

RESOLVED, that the Health and Social Services Committee is hereby authorized to accept additional grant funds from the State of New York in support of the services provided by the foregoing agencies in an amount not to exceed 10% of amounts stated above; and be it further

RESOLVED, that each renewal agreement authorized herein shall provide that the amount stated above may be increased by up to 10% of said amount to include additional State grant funding received for the services provided by the agency without further amendment.

BUDGET IMPACT STATEMENT: None. Funding for these contracts has been placed in the 2019 Tentative Budget.

RESOLUTION 246 - 2018

Introduced by Supervisors Lucia, DeLucia, Gaston, Kusnierz, Richardson, Winney and Wood

AUTHORIZING THE CHAIRMAN TO ENTER INTO A REVENUE CONTRACT WITH VNA HOMECARE OPTIONS, LLC D/B/A NASCENTIA HEALTH OPTIONS, LLC FOR REIMBURSEMENT OF HOME DELIVERED MEALS TO DUAL-ELIGIBLE MEDICAID AND MEDICARE CLIENTS OF THE OFFICE FOR THE AGING

WHEREAS, as part of the State Medicaid Redesign Team's efforts to push social services into managed care models, the State has requested that the County enter into a contract with VNA Homecare Options, LLC d/b/a Nascentia Health Options, LLC ("Nascentia Health Options"), a managed care agency, to provide home-delivered meals to dual-eligible Medicare and Medicaid clients who receive healthcare services through Nascentia Health Options; and

WHEREAS, Nascentia Health Options proposes to reimburse the County at the rate of \$8.75 per meal delivered; and

WHEREAS, pursuant to Resolution 130-2017, the County currently has a contract with Northeast Dining & Lodging, Inc. to provide meals to senior citizens participating in our Office for the Aging's Elderly Nutrition Program through December 31, 2020 at a cost to the County of \$7.27 per meal in 2018, and an anticipated cost to the County of \$7.47 per meal in 2019; and

WHEREAS, the County will utilize the meal delivery services of Northeast Dining & Lodging, Inc. to provide meals to dual-eligible clients of Nascentia Health Options, netting the County a profit of approximately \$1.48 per meal delivered in 2018; and

WHEREAS, our Health and Social Services Committee and the Director of the Office for the Aging have recommended that the County enter into a contract with VNA Homecare Options, LLC d/b/a Nascentia Health Options, LLC to provide meals to dual-eligible Medicaid and Medicare clients of Nascentia Health Options at a cost of \$8.75 per meal for the period December 1, 2018 through December 31, 2019; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an agreement with VNA Homecare Options, LLC d/b/a Nascentia Health Options, LLC, of 1050 W. Genesee Street, Syracuse, New York, for the provision of home-delivered meals by the County to dual-eligible Medicaid and Medicare clients of Nascentia Health Options, at a cost to be paid by VNA Homecare Options, LLC d/b/a Nascentia Health Options, LLC to the County of \$8.75 per meal, for the period December 1, 2018 through December 31, 2019, with the form and content of such agreement being subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 247 - 2018

Introduced by Supervisors Lucia, DeLucia, Gaston, Kusnierz, Richardson, Winney and Wood

AMENDING RESOLUTION 255-2017, AND AUTHORIZING THE CHAIR TO EXECUTE AMENDED AGREEMENTS WITH LENA'S ADULT DAY SERVICES, INC. AND COLONIE SENIOR SERVICES CENTER, INC. D/B/A BRIGHT HORIZONS ADULT DAY SERVICES TO PROVIDE ADDITIONAL FUNDING FOR SOCIAL ADULT DAY CARE SERVICES

WHEREAS, pursuant to Resolution 255-2017, this Board approved the Saratoga County Office for the Aging's 2018-2019 Annual Implementation Plan and related subcontracts; and

WHEREAS, included in the subcontracts authorized by Resolution 255-2017 is an agreement with Lena's Adult Day Services, Inc. for the provision of social adult day care services for the term April 1, 2018 through March 31, 2019 at a cost of \$10,000; and

WHEREAS, also included in the subcontracts authorized by Resolution 255-2017 is an agreement with Colonie Senior Services Center, Inc. d/b/a Bright Horizons Adult Day Services for the provision of social adult day care services for the term April 1, 2018 through March 31, 2019 at a cost of \$20,000; and

WHEREAS, due to increased demand for adult day care services, the Office for the Aging would like to increase funding to Lena’s Adult Day Services, Inc. by an additional \$10,000 to a total contract amount of \$20,000, and to increase funding to the Colonie Senior Services Center by an additional \$10,000 to a total contract cost of \$30,000; and

WHEREAS, our Health and Social Services Committee and the Director of the Office for the Aging have recommended that the contracts authorized with Lena’s Adult Day Services, Inc. and Colonie Senior Services Center be amended to increase the authorized contract amounts for each provider by \$10,000, and that Resolution 255-2017 be amended accordingly; now, therefore, be it

RESOLVED, that the Chair of the Board is hereby authorized to execute amended agreements with: 1) Lena’s Adult Day Services, Inc. increasing the authorized contract amount by an additional \$10,000, for a total cost of \$20,000; and 2) Colonie Senior Services Center, Inc. d/b/a Bright Horizons Adult Day Services increasing the authorized contract amount by an additional \$10,000, for a total cost of \$30,000; and, be it further

RESOLVED, that Resolution 255-2017, is hereby amended to revise the funding for the following subcontracts to the indicated amounts:

<u>PROVIDER</u>	<u>FUNDING</u>	<u>SERVICE</u>	<u>TERM</u>	<u>AMOUNT</u>
Lena’s Adult Day Services, Inc. 230 Bluebird Road	EISEP	Social Adult Day Care	4/1/18-3/31/19	\$20,000.00
			Contributions	\$ 0.00
			Match	\$ 0.00
			Reimbursement	\$20,000.00
Colonie Senior Services Bright Horizons Adult Day Services 6 Winners Circle Albany, NY 12205	EISEP	Social Adult Day Care	4/1/18-3/31/19	\$30,000.00
			Contributions	\$ 0.00
			Match	\$ 0.00
			Reimbursement	\$30,000.00

BUDGET IMPACT STATEMENT: None. 100% State Aid.

RESOLUTION 248 - 2018

Introduced by Supervisors Lucia, DeLucia, Gaston, Kusnierz, Richardson, Winney and Wood

APPROVING 2019-2020 ANNUAL UPDATE AND AUTHORIZING 2019 SUBCONTRACTS FOR THE OFFICE FOR THE AGING

WHEREAS, the Saratoga County Office for the Aging, provides programs to some elderly County residents under Title III of the Federal Older Americans Act of 1965, as amended, and the State Community Services Act of 1979 (Executive Law, Article 19-J); and

WHEREAS, the Federal Act requires the preparation of a Four-Year Service Plan, annual updates and funding applications for the provision of listed services; and

WHEREAS, pursuant to Resolution 213-2015, the Saratoga County Board of Supervisors approved the 2016-2020 Four Year Service Plan submitted by the Saratoga County Office for the Aging for the term April 1, 2016 through March 31, 2020; and

WHEREAS, the State Act requires the submission of an Annual Update to the Four-Year Service Plan for the delivery of community services for the elderly, which Update also serves as the Federal annual update; and

WHEREAS, our Office for the Aging has proposed a 2019-2020 Annual Update which includes the appropriate annual funding applications; and

WHEREAS, public hearings on the proposed 2019-2020 Annual Update was held on October 30, 2018 and November 1, 2018; and

WHEREAS, the Office for the Aging has submitted its proposed 2019-2020 Annual Update for our approval; now, therefore, be it

RESOLVED, that the Chair of the Board and/or the Director of our Office for the Aging are authorized and directed to sign the 2019-2020 Annual Update, its attached funding applications and the following subcontracts, the form and content thereof being subject to the approval of the County Attorney, namely:

PROVIDER	FUNDING	SERVICE	TERM	AMOUNT
A & H Services 5 Thompson View Ballston Spa, NY 12020	IIIB and AAA Transportation Community Services for the Elderly (CSE)	Transportation (City of Saratoga Springs)	1/1/19-12/31/19 Contributions Match Reimbursement	\$ 450.00/day \$ 1,500.00 \$ 0.00 \$111,000.00
A & H Services 5 Thompson View Ballston Spa, NY 12020	IIIB and AAA Transportation Community Service for the Elderly (CSE)	Transportation (6 Towns)	1/1/19-12/31/19 Contributions Match Reimbursement	\$ 450.00/day \$ 1,500.00 \$ 0.00 \$111,000.00
Town of Corinth 600 Palmer Ave. Corinth, NY 12822	Community Services for the Elderly (CSE)	Transportation	4/1/19-3/31/20 Contributions Match Reimbursement	\$ 30,200.00 \$ 200.00 \$ 7,500.00 \$ 22,500.00
City of Mechanicville 36 North Main Street Mechanicville, NY 12118	Community Services for the Elderly (CSE)	Transportation	4/1/19-3/31/20 Contributions Match Reimbursement	\$ 8,640.00 \$ 3,000.00 \$ 1,440.00 \$ 4,200.00
Captain Community Human Services 543 Saratoga Road Glenville, NY 12302	Community Services for the Elderly (CSE)	Care Links Program	4/1/19-3/31/20 Contributions Match Reimbursement	\$ 40,000.00 \$ 0.00 \$ 10,000.00 \$ 30,000.00
Christine Kudlacik, RD 79 Loudon Road Saratoga Springs, NY 12866	Title IIIC WIN	Dietician Services	1/1/19-12/31/19 4/1/19-3/31/20	\$ 45.00/hour \$ 45.00/hour
O'Connell and Aronowitz 1 Court Street Saratoga Springs, NY 12866	IIIB	Legal Services	1/1/19-12/31/19 Contributions Match Reimbursement	\$ 30,000.00 \$ 1,000.00 \$ 2,900.00 \$ 26,100.00
HHDL, Inc., d/b/a Home Helpers & Direct Link 538 Maple Ave. Saratoga Springs, NY 12866	IIIE	In-Home Respite Care	1/1/19-12/31/19	\$ 23.00/hour
Mechanicville Area Community Services Center P.O. Box 30, 6 South Main St. Mechanicville, NY 12118	CSE	Elder Care Services  Match	4/1/19-3/31/20 Contributions \$ 6,667.00 Reimbursement	\$ 26,667.00 \$ 0.00 \$ 20,000.00
Critical Signal Technologies	EISEP	Personal Emergency	1/1/19-12/31/19	\$ 20,000.00

27475 Meadowbrook Road Novi, MI 48377		Response Systems (PERS)	Contributions Match Reimbursement	\$ 0.00 \$ 0.00 \$ 20,000.00
Town of Clifton Park 1 Town Hall Plaza Clifton Park, NY 12065	CSE	Senior Center Recreation and Education	4/1/19-3/31/20 Contributions Match Reimbursement	\$ 13,334.00 \$ 0.00 \$ 3,334.00 \$ 10,000.00
Lena's Adult Day Services, Inc. 230 Bluebird Road South Glens Falls, NY 12803	EISEP	Social Adult Day Care	4/1/19-3/31/20 Contributions Match Reimbursement	\$ 26,667.00 \$ 0.00 \$ 6,667.00 \$ 20,000.00
Wesley Senior Solutions 396 Loudon Road Saratoga Springs, NY 12866	IIIE	In-Home Respite Care	1/1/19-12/31/19	\$ 23/hour
Colonie Senior Services Bright Horizons Adult Day Services 6 Winners Circle Albany, NY 12205	EISEP	Social Adult Day Care	4/1/19-3/31/20 Contributions Match Reimbursement	\$ 40,000.00 \$ 0.00 \$ 10,000.00 \$ 30,000.00
Town of Hadley 4 Stony Creek Road P.O. Box 323 Hadley, NY 12835	CSE	Transportation	4/1/19-3/31/20 Contributions Match Reimbursement	\$ 13,334.00 \$ 0.00 \$ 3,334.00 \$ 10,000.00

BUDGET IMPACT STATEMENT: No budget impact.

#### RESOLUTION 249 - 2018

Introduced by Supervisors Wood, DeLucia, Grattidge, Johnson, Lucia, Peck, and Wright

#### DESIGNATING THE COUNTY ADMINISTRATOR AS AN APPOINTING AUTHORITY WITH THE AUTHORITY TO EXECUTE MSD 426 FORMS

WHEREAS, the Board of Supervisors is the appointing authority for a number of Saratoga County department heads including the County Attorney, Public Defender, County Administrator and various other department heads; and

WHEREAS, appointing authorities must report personnel changes to the municipal civil service agency as they occur including but not limited to appointments, terminations, resignations, retirements, leaves without pay, salary changes and demotions; and

WHEREAS, such personnel changes get reported on a Report of Personnel Change (ROPC) Form which is more formally referred to as a MSD 426 form and less formally referred to as a "Pink Sheet"; and

WHEREAS, a Report of Personnel Change (ROPC) must be signed by the Appointing Authority or their legally appointed designee; and

WHEREAS, our Human Resources Committee and the Director of Human Resources have recommended that the authority of the County Administrator to act as Appointing Authority, with the authorization to sign Reports of Personnel Changes for County department heads, be clarified for New York State Civil Service purposes, now, therefore, be it

RESOLVED, that the Saratoga County Administrator is designated Appointing Authority to legally sign any Report of Personnel Change ("ROPC") for any personnel transaction involving a Saratoga County department

head appointed by the Saratoga County Board of Supervisors except for any ROPC in which the County Administrator is the personal subject of the ROPC.

BUDGET IMPACT STATEMENT: No budget impact.

#### RESOLUTION 250 - 2018

Introduced by Supervisors Wood, DeLucia, Grattidge, Johnson, Lucia, Peck, and Wright

#### APPOINTING DAVID DECELLE AS CORONER

WHEREAS, Saratoga County Coroner Daniel J. Kuhn retired on November 1, 2018; and

WHEREAS, pursuant to County Law §400(7), a vacancy in the office of county coroner shall be filled by the county board of supervisors, and such officer shall hold office until and including the thirty-first day of December succeeding the first annual election at which the vacancy can be filled by election; and

WHEREAS, our Human Resources and Insurance Committee has recommended that David DeCelle be appointed to the office of Coroner of the County of Saratoga to fill the vacancy created by the retirement of Daniel J. Kuhn; now, therefore, be it

RESOLVED, that David DeCelle of the Town of Milton, New York, be and is hereby appointed to the position of Coroner for the County of Saratoga for a term to expire on December 31, 2019, at the annual salary of \$28,404; and be it further

RESOLVED, that this Resolution shall take effect on November 21, 2018.

BUDGET IMPACT STATEMENT: No budget impact.

#### RESOLUTION 251- 2018

Introduced by Supervisors Pemrick, Gaston, Ostrander, Raymond, Schopf, Winney and Wood

#### AUTHORIZING THE CONVEYANCE OF TAX-ACQUIRED LANDS TO THE TOWN OF MILTON

WHEREAS, unpaid taxes resulted in the County's acquisition of Tax Parcels #203.13-5-99 and #203.13-5-3 in the Town of Milton and Tax Parcel #203.13-3-99 in the Village of Ballston Spa pursuant to Article 11 of the Real Property Tax; and

WHEREAS, Tax Parcel #203.13-5-99 in the Town of Milton and Tax Parcel #203.13-3-99 in the Village of Ballston Spa comprise the street known as Backstop Lane, and Tax Parcel #203.13-5-3 in the Town of Milton is a parcel reserved for stormwater management; and

WHEREAS, the former owner of all three parcels, Heflin Builders, Inc., was required as a condition of its subdivision approval to convey all three parcels to the Town of Milton, but failed to do so; and

WHEREAS, pursuant to Resolution 46 of 2018 the Town Board of the Town of Milton has submitted an offer to purchase Tax Parcels #203.13-5-99, #203.13-3-99, and #203.13-5-3 for the municipal purposes of: 1) maintaining ingress and egress over Backstop Lane for the residents and neighborhood it serves; and 2) maintaining roadway drainage for Backstop Lane; and

WHEREAS, the Town of Milton has duly notified Heflin Builders, Inc. of the Town's offer to purchase all three (3) parcels from the County, and the former owner has failed to submit a repurchase offer for any of said parcels; and

WHEREAS, it is the policy of this Board to allow the sale of tax-acquired lands to a municipality for the amount of all delinquent taxes, penalties and interest owed on a parcel or parcels; and

WHEREAS, our Real Property Tax Committee has recommended the acceptance and approval of the offer of the Town of Milton to purchase Tax Parcels #203.13-3-99, #203.13-5-99, and #203.13-5-3 for the amount of all delinquent taxes, penalties and interest; now, therefore, be it

RESOLVED, that the Chair of the Board execute and cause to be delivered to the Town of Milton a quit claim deed conveying the following lands to the Town of Milton upon payment of all delinquent taxes, penalties and interest in the amount set forth below:

<u>CONVEY TO:</u>	<u>YEAR</u>	<u>S/B/L</u>	<u>AMOUNT</u>
Town of Milton Milton Town Hall 503 Geysers Road Ballston Spa, New York 12020	2015, 2016, 2017 & 2018	203.13-3-99	\$ 620.50
Town of Milton Milton Town Hall 503 Geysers Road Ballston Spa, New York 12020	2015, 2016, 2017 & 2018	203.13-5-99	\$ 612.54
Town of Milton Milton Town Hall 503 Geysers Road Ballston Spa, New York 12020	2015, 2016, 2017 & 2018	203.13-5-3	\$ 717.96

; and, be it further

RESOLVED, that this conveyance is subject to all current 2018-2019 school taxes due and owing on the above parcels, the payment of which taxes shall be the responsibility of the Town of Milton.

BUDGET IMPACT STATEMENT: This amount includes all delinquent taxes, penalties and interest.

RESOLUTION 252 - 2018

Introduced by Supervisors Allen, Grattidge, Peck, Raymond, Schopf, Smith and Szczepaniak

AUTHORIZING THE CHAIRMAN TO EXECUTE AN AGREEMENT WITH COUNTY WASTE AND RECYCLING SERVICE, INC. FOR THE TRANSPORTATION, PROCESSING AND RECOVERY OF RECYCLABLES AND SCRAP METAL FROM THE COUNTY’S RECYCLING CENTERS AND THE EDINBURG TOWN HIGHWAY GARAGE, AND AMENDING THE 2019 TENTATIVE COUNTY BUDGET IN RELATION THERETO

WHEREAS, the County provides for the receipt and transportation of recyclable materials in the County at the County’s Recycling Centers located in the Towns of Clifton Park, Corinth, Milton and Moreau, in the City of Saratoga Springs, and at the Edinburg Town Highway Garage; and

WHEREAS, the County Recycling Centers in the Towns of Clifton Park, Corinth and Moreau and the City of Saratoga Springs are located at waste transfer stations respectively owned and operated by the four municipalities, and whereat the solid waste transfer function is managed by Town/City employees; and

WHEREAS, in order to promote efficiencies and reduce costs through a consolidation of municipal services, the County adopted a plan in 2014 to: 1) convert the collection of recyclables from multi-stream recycling to single-stream recycling (“SSR”); 2) privatize the transportation of recyclables from all County recyclables transfer stations; and 3) transfer the oversight of the collection of recyclables at all County recyclables transfer stations to the respective local municipalities operating the solid waste transfer station at the site of each County recyclables transfer station; and

WHEREAS, pursuant to Resolution 205-2016, this Board of Supervisors authorized an agreement with County Waste and Recycling Service, Inc. for the transportation, processing and recovery of single-stream recyclables and scrap metal from the County’s Recycling Centers in the Towns of Clifton Park, Corinth, Milton and Moreau and the City of Saratoga Springs, and from the Edinburg Town Highway Garage, for the term from January 1, 2017 through December 31, 2018, subject to renewal for two (2) additional terms of two (2) years each upon the written agreement of the parties, at the per ton revenue rates from the sale of single-stream recyclables,

and at the per ton transportation, marketing and processing charges to the County, quoted in County Waste and Recycling Service’s Proposal dated August 25, 2016; and

WHEREAS, by letter dated August 8, 2018 to the County Attorney, County Waste and Recycling Service, Inc. advised that it would not be renewing its current agreement with the County for recycling services when the agreement expired on December 31, 2018; and

WHEREAS, on September 1, 2018, the County issued a Request for Proposals for the transportation, processing and recovery of single-stream recyclables and scrap metal from the County’s Recycling Centers in the Towns of Clifton Park, Corinth, Milton and Moreau and the City of Saratoga Springs, and from the Edinburg Town Highway Garage; and

WHEREAS, County Waste and Recycling Service, Inc. (“County Waste”) submitted the only proposal received in response to the County’s RFP; and

WHEREAS, the County’s Commissioner of Public Works and the County’s consultant on solid waste and recycling matters, Gerhardt, LLC entered into negotiations with County Waste and requested that County Waste submit a revised proposal that would provide for revenue sharing with the County for the sale of single stream recyclables; and

WHEREAS, on October 24, 2018 the County received a revised proposal from County Waste that included provisions for revenue sharing with the County for the sale of single stream recyclables; and

WHEREAS, our Public Works Committee, the County’s Commissioner of Public Works and Gerhardt, LLC, have recommended that the revised proposal of County Waste be accepted, and that the County’s contract for single-stream recycling and scrap metal services be awarded to County Waste and Recycling Service, Inc.; now, therefore, be it

RESOLVED, that the Chair of the Board is hereby authorized and directed to execute an agreement with County Waste and Recycling Service, Inc. of Clifton Park, New York, for the transportation, processing and recovery of single-stream recyclables and scrap metal from the County’s Recycling Centers in the Towns of Clifton Park, Corinth, Milton and Moreau and the City of Saratoga Springs, and from the Edinburg Town Highway Garage, for the term January 1, 2019 through December 31, 2019, subject to renewal for three (3) additional terms of one (1) year each upon the written agreement of the parties, at the following rates:

- a) for the sale of all scrap metal received and transported by County Waste from the County, County Waste will pay the County the sale amount received by County Waste, minus a processing fee of \$43 per ton and minus the cost of transportation as set forth in County Waste’s proposal; and
- b) for the transportation and sale of Single Stream Recyclables (“SSR”) by County Waste, the County will pay County Waste processing fees of \$65 per ton when the quarterly Average Commodity Value (“ACV”) for SSR is equal to or greater than \$90 per ton; \$75 per ton when the quarterly ACV for SSR is greater than \$40 per ton but less than \$90 per ton; and \$85 per ton when the quarterly ACV for SSR is equal to or less than \$40 per ton, plus the cost of transportation as set forth in County Waste’s proposal. ACV shall be the quarterly average weighted value for the previous three (3) months of all materials that comprise SSR, and must be documented and verified by County Waste by submission of validated receipts to the County for the sale of all materials and certified scale tickets for all materials. Adjusted processing fees that result from changes in the quarterly ACV shall be in effect for the following quarter;

and, be it further

RESOLVED, that the 2019 Tentative Saratoga County Budget is hereby amended as follows:

UNDER PUBLIC WORKS:

Appropriations:

Increase Acct. #D.50.516-7503 Disposal of Recycling \$200,000

Revenues:

Increase Acct. #D.50-5031 Transfer from the General Fund \$200,000

RESOLVED, that the form and content of such agreement shall be subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: The anticipated recycling costs for 2019 will require an amendment to the Tentative 2019 County Budget in the amount of \$200,000.

## RESOLUTION 253 – 2018 (TABLED)

Introduced by Supervisors Allen, Grattidge, Peck, Raymond, Schopf, Smith and Szczepaniak

ACCEPTING THE CONVEYANCE FROM MUNTER LAND HOLDINGS, LLC OF A 25,091 SQ. FT. PARCEL ALONG COUNTY ROAD 43 (GEYSER ROAD) FOR RIGHT OF WAY PURPOSES

WHEREAS, Munter Land Holdings, LLC obtained approval from the City of Saratoga Springs to subdivide a 45.75± acre parcel it owned on County Road 43 (Geyser Road) into three parcels as follows: 1) Parcel 1 consisting of 12.42 acres, shown on the Saratoga County Tax Maps as Tax Parcel #178.-1-61; 2) Parcel 2 consisting of 11.07 acres, shown on the Saratoga County Tax Maps as Tax Parcel #178.-1-62; and 3) Parcel 3 consisting of 22.26 acres, shown on the Saratoga County Tax Maps as Tax Parcel #178.-1-63; with all three parcels to be accessed off of County Road 43 by a roadway named Skyward Drive; and

WHEREAS, as a condition of its site plan approval for the construction of the SKS Bottle and Packaging manufacturing facility on Parcel 3, the City of Saratoga Springs Planning Board has required Munter Land Holdings, LLC to construct a new gravel access road off Skyward Drive westerly across Parcel 1 to the Delaware and Hudson Railway Company rail line, and to convey a 25,091 sq. ft. portion of Parcel 1 along County Road 43, as more fully described in the attached “Schedule A”, to the County of Saratoga for the purposes of: 1) expanding the County’s public right of way along County Road 43 to include said new access road; and 2) eliminating the former Old Geysers Road access road to the Delaware and Hudson Railway Company rail line across Parcel 1 in order to reduce the number of roadway access points entering and exiting County Road 43 to only Skyward Drive; and

WHEREAS, the City of Saratoga Springs has determined that the conveyance of said 25,091 sq. ft. parcel by Munter Land Holdings, LLC to the County will not require subdivision approval by the City, but rather a lot line adjustment; and

WHEREAS, the Saratoga County Commissioner of Public Works has recommended that the County take no responsibility for maintaining the new gravel access road to the rail line; and

WHEREAS, it is appropriate that the County require as a condition of its acceptance of the conveyance of said 25,091 sq. ft. parcel from Munter Land Holdings, LLC that Munter Land Holdings, LLC execute and provide to the County an indemnification and hold harmless agreement indemnifying and holding the County harmless from any liability, claims, causes of action, demands, judgments, and damages whatsoever arising from the County’s ownership and any public use of: 1) the new unpaved access road to the rail line, and 2) that portion of Skyward Drive located within the parcel to be conveyed to the County; now, therefore, be it

RESOLVED, that this Board of Supervisors hereby agrees to accept the conveyance of the 25,091 sq. ft. parcel described in Schedule A attached hereto from Munter Land Holdings, LLC, subject to: 1) Munter Land Holdings, LLC executing and providing to the County an indemnification and hold harmless agreement indemnifying and holding the County harmless from any liability, claims, causes of action, demands, judgments, and damages whatsoever arising from the County’s ownership and any public use of: a) the new unpaved access road to the rail line, and b) that portion of Skyward Drive located within the parcel to be conveyed to the County; and 2) the County accepting no responsibility for maintaining or repairing the new unpaved access road to the rail line; and be it further

RESOLVED, that the Chair of the Board is hereby authorized to execute any instruments, forms or agreements with Munter Land Holdings, LLC necessary to accept the conveyance of the 25,091 sq. ft. parcel described in Schedule A attached hereto subject to the conditions stated in the foregoing paragraph; and be it further

RESOLVED, that the form and content of all such instruments, forms, and agreements to be signed by the Chairman shall be subject to the review and approval of the County Attorney.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 254 - 2018

Introduced by Supervisors Allen, Grattidge, Peck, Raymond, Schopf, Smith and Szczepaniak

**AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR THE MUTUAL PROVISION OF EMERGENCY ASSISTANCE TO MAINTAIN STATE AND COUNTY ROADS AND HIGHWAYS**

WHEREAS, rules issued by the New York State Comptroller authorize the New York State Department of Transportation and a local municipality to provide or exchange emergency assistance in the form of services, materials or equipment valued at less than \$10,000, in the absence of an Emergency Declaration from the Governor, provided NYSDOT and the municipality have entered into a Shared Services Agreement; and

WHEREAS, pursuant to Resolution 28-2016, the County and NYSDOT entered into a Shared Services Agreement for a term of one year, subject to annual renewal, as a means of ensuring that NYSDOT and the County were prepared in the event of any emergency to share services, materials or equipment needed to maintain State and County roads and highways; and

WHEREAS, NYSDOT has proposed that the County and NYSDOT enter into a new Shared Services Agreement for a term of four (4) years incorporating minor revisions requested by NYSDOT; and

WHEREAS, our Public Works Committee and the County's Commissioner of Public Works have recommended that the County enter into a new Shared Services Agreement with NYSDOT for term of four (4) years; now, therefore, be it

RESOLVED, that the Saratoga County Commissioner of Public Works is hereby authorized to enter into a Shared Services Agreement with the New York State Department of Transportation for the mutual provision of emergency assistance in maintaining State and County roads and highways, with said Agreement to be for a term of four years commencing on November 21, 2018 and terminating on November 20, 2022, subject to renewal upon such terms and conditions as County and NYSDOT may agree to in writing; and, be it further

RESOLVED, that the form and content of such Shared Services Agreement, and any renewal agreement thereof, shall be subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: No budget impact.

**RESOLUTION 255 - 2018**

Introduced by Supervisors Allen, Grattidge, Peck, Raymond, Schopf, Smith and Szczepaniak

**AUTHORIZING THE CHAIRMAN TO EXECUTE A SUBORDINATION AGREEMENT WITH SARATOGA NATIONAL BANK AND TRUST COMPANY RELATIVE TO PARCELS CONVEYED BY THE COUNTY TO THE MALTA RIDGE VOLUNTEER FIRE COMPANY, INC.**

WHEREAS, pursuant to Resolution No. 85 of 1964 and Resolution 86 of 1964, the County of Saratoga respectively conveyed a .333 acre parcel and a .994 acre parcel ("Parcels 1 and 2") along NYS Route 9 in the Town of Malta to the Malta Ridge Volunteer Fire Company, Inc., upon which parcels the Malta Ridge Volunteer Fire Company, Inc. constructed its Fire Station; and

WHEREAS, pursuant to Local Law No. 1 of 1989, the County of Saratoga conveyed to the Malta Ridge Volunteer Fire Company, Inc. ("Fire Company") an unimproved parcel of land ("Parcel 3") along NYS Route 9 adjacent to Parcel 1 on the south, subject to a right of reverter to the County in the event such parcel were offered for conveyance by the Fire Company for a non-public use; and

WHEREAS, pursuant to Local Law No. 6 of 1989, the County of Saratoga conveyed to the Fire Company conveyed an unimproved parcel of land ("Parcel 4") along NYS Route 9 adjacent to Parcel 2 on the north, subject to the condition that the premises shall be used only as an unimproved parcel and reserving to the County the right to a future use of said premises for any highway or municipal purposes deemed appropriate by the County; and

WHEREAS, the Fire Company is undertaking a project to construct an addition to its Fire Station that will include additional training areas and kitchen space, with financing for the project to be provided by Saratoga National Bank and Trust Company, Inc. ("Saratoga National Bank"); and

WHEREAS, Saratoga National Bank is unwilling to close on its loan to the Fire Company due the reverter provisions in the County's deeds to the Fire Company for Parcels 3 and 4, for the reason that the security of its

mortgage over all four parcels would be impaired if the bank needed to foreclose its mortgage, as it would only be able to acquire title to Parcels 1 and 2 through the foreclosure process, while the foreclosure would trigger a reversion of title to Parcels 3 and 4 to the County; and

WHEREAS, Saratoga National Bank and the Fire Company have requested that the County enter into a subordination agreement with Saratoga National Bank providing for the County to subordinate its rights of reverter in the deeds to Parcels 3 and 4 to the lien of Saratoga National Bank's mortgage with the Fire Company; and

WHEREAS, the County's Department of Public Works has no need for either Parcel 3 or Parcel 4 for highway purposes as both parcels are bordered by NYS Route 9 and Hearn Road, which is a town road, with the County maintaining a substantial right of way along County Road 63 (Malta Avenue Extension) which is adjacent to a minor portion of Parcel 4; and

WHEREAS, our Public Works Committee and the County's Commissioner of Public Works have recommended that the County enter into a subordination agreement with Saratoga National Bank providing for the County to subordinate its rights of reverter in the deeds to Parcels 3 and 4 to the lien of Saratoga National Bank's pending mortgage with the Fire Company; now, therefore, be it

RESOLVED, the Chair of the Board is authorized to execute a subordination agreement with Saratoga National Bank and Trust Company providing for the County of Saratoga's subordination of its right of reverter set forth in the County's deeds to the Malta Ridge Volunteer Fire Company, Inc. recorded in the Saratoga County Clerk's Office in Book 1284 of Deeds at Page 720 (Parcel 3) and in Book 1284 of Deeds at Page 718, as corrected by a deed recorded in Book 1482 of Deeds at Page 456, (Parcel 4) to a mortgage to be recorded from the Malta Ridge Volunteer Fire Company, Inc. to Saratoga National Bank and Trust Company in connection with Saratoga National Bank's financing of the Fire Company's planned addition to its Fire Station on NYS Route 9 in the Town of Malta; and be it further

RESOLVED, that the form and content of such subordination agreement shall be subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: No budget impact.

#### RESOLUTION 256 - 2018

Introduced by Supervisors Peck, Allen, Lawler, Ostrander, Pemrick, Szczepaniak, and Tollisen

**AUTHORIZING THE CHAIR TO ENTER INTO AN AGREEMENT WITH THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES TO ACCEPT STATE AID FOR REIMBURSEMENT OF EXPENSES RELATED TO THE IGNITION INTERLOCK DEVICE MONITORING PROGRAM**

WHEREAS, additional funds are available from the New York State Division of Criminal Justice Services for reimbursement of expenses related to the monitoring of court ordered participants in the ignition interlock device program; and

WHEREAS, a State Aid grant in an amount not to exceed \$19,865 is available from the New York State Division of Criminal Justice Services for the purpose of assisting the Probation Department with the cost of supervising and monitoring probationers using the ignition interlock device during the period from October 1, 2018 through September 30, 2019; and

WHEREAS, the acceptance of this grant requires our approval; now therefore, be it

RESOLVED, that the Chair of the Board and/or the County Administrator execute all documents necessary to apply for and accept a New York State Division of Criminal Justice Services grant in an amount not to exceed \$19,865 to reimburse the Probation Department for expenses incurred in supervising and monitoring its probationers using ignition interlock devices during the period from October 1, 2018 through September 30, 2019.

BUDGET IMPACT STATEMENT: No budget impact.

#### RESOLUTION 257 - 2018

Introduced by Supervisors Peck, Allen, Lawler, Ostrander, Pemrick, Szczepaniak, and Tollisen

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH MOTOROLA SOLUTIONS, INC. FOR THE EXPANSION OF THE COUNTY'S 800 MHZ RADIO SYSTEM

WHEREAS, the County of Saratoga maintains an 800 MHz Radio Communications System utilizing three radio tower sites within the County and one radio tower site in Warren County equipped with radio communications equipment manufactured, provided and maintained by Motorola Solutions, Inc.; and

WHEREAS, pursuant to Resolution 92-2018 the County accepted a New York State Division of Homeland Security and Emergency Services Round VI Statewide Interoperable Communications Grant in the amount of \$834,169 to purchase communications infrastructure, mobile and portable radios, and radio repair and maintenance services; and

WHEREAS, the County's Director of Emergency Services wishes to utilize a portion of said Round VI Statewide Interoperable Communications Grant funds to expand the County's 800 MHz Radio Communications System by adding two channels to the existing four channel north cell simulcast system in order to mitigate against busy signals on the current system; and

WHEREAS, Motorola Solutions, Inc. has submitted a proposal for the provision of the radio equipment needed to add the two channels to the existing four-channel north cell simulcast system at a cost of \$421,734; and

WHEREAS, our Public Safety Committee and the Director of the Office of Emergency Services have recommended that the proposal of Motorola Solutions, Inc. for provision of such radio equipment be accepted; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an agreement with Motorola Solutions, Inc. of Montvale, New Jersey, for the provision of radio equipment needed to add two channels to the existing four-channel north cell simulcast system within the County's 800 MHz Radio System at a cost of \$421,734; and, be it further

RESOLVED, that the form and content of such agreement shall be subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: None. 100% State Aid.

RESOLUTION 258 - 2018

Introduced by Supervisors Peck, Allen, Lawler, Ostrander, Pemrick, Szczepaniak, and Tollisen

AUTHORIZING A RENEWAL AGREEMENT WITH JODY O'NEILL, MSW TO PROVIDE SOCIAL WORKER SERVICES TO CLIENTS OF THE PUBLIC DEFENDER'S OFFICE

WHEREAS, pursuant to Resolution 253-2017, this Board authorized the execution of a renewal agreement with Jody O'Neill, MSW to provide Social Worker services to clients of the Public Defender's Office for a term January 1, 2018 through December 31, 2018 contingent upon the Public Defender reappointing her to the Social Worker position in the Public Defender's Office for the stated term; and

WHEREAS, the Social Worker contract employee position in the Public Defender's Office is fully funded by New York Office of Indigent Legal Services State Grant Distribution #6; and

WHEREAS, the Public Defender has been very satisfied with the Social Worker and case management services provided by Jody O'Neill to the clients of the Public Defender's Office, and has requested that Jody O'Neill's contract be renewed for the term January 1, 2019 through December 31, 2019; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute a renewal agreement with Jody O'Neill, MSW of Ballston Lake, New York, for the provision of social worker and case management services to clients of the Public Defender's Office for the term January 1, 2019 through December 31, 2019, at a rate of compensation of \$27.47 per hour for 35 hours per biweekly pay period, with total annual compensation not to exceed \$25,000, contingent upon the Public Defender appointing Jody O'Neill, MSW to the Social Worker position in the Public Defender's Office for the stated term; and, be it further

RESOLVED, that as a contract employee Jody O'Neill, MSW shall not be entitled to any employee benefits to which Saratoga County employees are entitled; and, be it further

RESOLVED, that the form and content of such renewal agreement shall be subject to the approval of the County Attorney; and, be it further

RESOLVED, that in the event the State of New York should cease to fully fund this Social Worker position at any time during the contract term, the unfunded position shall be abolished from the Saratoga County Compensation Schedule, and this renewal agreement with Jody O'Neill, MSW shall be terminated as of the date the State's funding is fully expended.

BUDGET IMPACT STATEMENT: None. Costs associated with this contract are covered by a NYS Indigent Legal Services grant.

#### RESOLUTION 259 - 2018

Introduced by Supervisors Peck, Allen, Lawler, Ostrander, Pemrick, Szczepaniak, and Tollisen

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH ALBANY MEDICAL CENTER FOR THE USE OF LABORATORY AND MORGUE FACILITIES NEEDED BY THE COUNTY CORONERS WHEN PERFORMING AUTOPSIES AND OTHER POST-MORTEM ACTIVITIES**

WHEREAS, pursuant to Resolution 223-2014, the County entered into an agreement with Albany Medical Center for the use of the Medical Center's morgue and laboratory facilities by our County Coroners when performing autopsies and other post-mortem activities, and for the provision of laboratory services related thereto, for a term commencing January 1, 2013, subject to annual renewal upon mutual agreement of the parties, at the annual rates established by Albany Medical Center for the use and provision of said facilities and services, with the annual cost of such facilities and services not to exceed \$12,000 in 2013 and \$25,000 in 2014 and years subsequent thereto; and

WHEREAS, Albany Medical Center has terminated their current agreement with the County for the provision of morgue, laboratory and forensic toxicology services effective November 30, 2018; and

WHEREAS, due to the need for specific morgue and expert forensic services which are best provided by Albany Medical Center ("AMC"), our County Coroner Susan Hayes-Masa negotiated an agreement with AMC for the continued provision of morgue, X-ray and laboratory services, but excluding toxicology services currently provided by AMC, which toxicology services can be provided by NMS Labs pursuant to an existing contract authorized by Resolution 223-10, as amended by Resolutions 50-2014, 53-2016, 59-2017 and 93-2017; and

WHEREAS, our Public Safety Committee and the County Coroners have recommended that the County enter into an agreement with Albany Medical Center for the continued use of the Medical Center's morgue facilities, X-Ray and laboratory services for the term December 1, 2018 through December 1, 2019 at the rates for services set forth in AMC's Morgue and Laboratory Fee Schedule for said stated term, which Fee Schedule includes a fee of \$2,000 per case for morgue facility use; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an agreement with Albany Medical Center of Albany, New York, for the use of the Medical Center's morgue facilities, X-ray and laboratory services by our County Coroners for the term December 1, 2018 through December 31, 2019 at the rates for services set forth in AMC's Morgue and Laboratory Fee Schedule for said stated term, at a cost not to exceed \$30,000; with the form and content of such agreement being subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: No budget impact.

#### RESOLUTION 260 - 2018

Introduced by Supervisors Tollisen, Allen, DeLucia, Pemrick, Raymond, Szczepaniak and Wright

**AMENDING THE BUDGET TO AUTHORIZE THE TRANSFER OF FUNDS FROM THE FARMLAND/OPEN SPACE PRESERVATION RESERVE FUND, AND DISBURSING FARMLAND/OPEN SPACE PRESERVATION ACCOUNT FUNDS TO THE TOWN OF MOREAU**

WHEREAS, pursuant to Resolution 222-2015 as amended by Resolution 263-2017, this Board awarded a 2015 Farmland/Open Space Preservation grant in the amount of \$15,804.41 to the Town of Moreau upon the condition that the Town contributed Town funds in the amount of no less than \$15,804.41 towards the estimated purchase price of \$31,608.82 for the purchase of two parcels (Tax Parcels #63.-1-8 and #49.19-3-24) consisting of 15.55 ± acres along the Hudson River needed for the construction of a connector trail to the Moreau State Park; and

WHEREAS, pursuant to Resolution 221-2015, this Board established a capital reserve fund to be known as the “Farmland/Open Space Preservation Reserve” for the purpose of accumulating monies to finance the costs of a type of capital project consisting of the financing of the acquisition of development rights by towns, villages and cities within Saratoga County of real property parcels within such towns, village and cities that have been approved by our Farmland/Open Space Preservation Committee and the Board of Supervisors as worthy of preservation from future development; and

WHEREAS, unexpended 2015 Farmland/Open Space Preservation Account funds transferred into the Farmland/Open Space Preservation Reserve on January 1, 2016; and

WHEREAS, the Town of Moreau has requested the disbursement of its 2015 Farmland/Open Space Preservation grant award and has submitted the required documentation supporting its request; and

WHEREAS, the transfer of Farmland/Open Space Preservation Reserve funds to the Farmland/Open Space Preservation Account, and the disbursement of monies from the Farmland/Open Space Preservation Account requires our approval and an amendment to the 2018 County Budget; now, therefore be it

RESOLVED, that the 2018 Saratoga County Budget is amended as follows:

PLANNING

Appropriations:

Increase Acct. #A.80.000-7091.9 Acq. Of Development Rights \$15,804.41

Revenues:

Increase Acct. #A.80-2408.I Open Space Reserve Transfer \$15,804.41

and, be it further

RESOLVED, that the Saratoga County Treasurer is hereby authorized to disburse a sum not to exceed \$15,804.41 from the Farmland/Open Space Preservation Account to the Town of Moreau upon the condition that the Town contributes Town funds in the amount of no less than \$15,804.41 towards the estimated purchase price of \$31,608.82 for the purchase of two parcels consisting of 15.55 ± acres along the Hudson River (Tax Parcels #63.-1-8 and #49.19-3-24) needed for the construction of a connector trail to the Moreau State Park; and be it further

RESOLVED, that the Chair of this Board is authorized to execute any and all agreements and other documents necessary to ensure the fulfillment of said conditions and the transfer of said funds, with such agreements and documents to be subject to the approval of the County Attorney as to form and content.

BUDGET IMPACT STATEMENT: None. The transfer will reduce the balance in the open space reserve by \$15,804.41.

RESOLUTION 261 - 2018

Introduced by Supervisors Tollisen, Allen, DeLucia, Pemrick, Raymond, Szczepaniak and Wright

AMENDING THE COUNTY BUDGET FOR THE PUBLIC SAFETY FACILITY PROJECT TO RECOGNIZE THE RECEIPT OF BOND SALE PROCEEDS

WHEREAS, pursuant Resolution 209-2018, this Board authorized the issuance of up to \$24,105,000 in serial bonds of the County of Saratoga to finance the construction of the County’s new public safety facilities building; and

WHEREAS, the County conducted the sale of its serial bonds on October 31, 2018, and it is necessary to amend the 2018 County Budget to recognize the revenue received from the bond sale and transfer expense authority from the General Fund to the Public Safety Facility capital account; now, therefore, be it

RESOLVED, that the 2018 Saratoga County Budget is hereby amended as follows:

A FUND

Appropriations

Decrease A.50.000-7098 Professional Services	\$ 900,000
Decrease A.50.000-7093 Bldg Construction	\$ 14,408,232
Increase A.90.920-9900 HJ Transfer to HJ Fund	<u>\$ 4,000,000</u>
	\$ 19,308,232

Revenues

Decrease A.50-5710 Bond Proceeds	\$ 15,308,232
Increase A-0599.B Fund Balance Appropriation	<u>\$ 4,000,000</u>
	\$ 19,308,232

HJ FUND

Appropriations

Increase HJ.50.100-7098 Professional Services	\$ 900,000
Increase HJ.50.100-7093 Bldg Construction	<u>\$ 18,408,232</u>
	\$ 19,308,232

Revenues

Increase HJ.50-5710 Bond Proceeds	\$ 15,308,232
Increase HJ.50-5031 Transfer from General Fund	<u>\$ 4,000,000</u>
	\$ 19,308,232

BUDGET IMPACT STATEMENT: This budget amendment will transfer funds into the Public Safety Facility capital account.

RESOLUTION 262 - 2018

Introduced by Supervisors Tollisen, Allen, DeLucia, Pemrick, Raymond, Szczepaniak and Wright

AUTHORIZING AN EXCEPTION TO THE SARATOGA COUNTY INVESTMENT POLICY TO ESTABLISH JP MORGAN CHASE BANK, N.A. AS A QUALIFIED BANK FOR THE DEPOSIT OF COUNTY FUNDS

WHEREAS, pursuant to Resolution 237-2018, this Board of Supervisors last amended and restated the Comprehensive Investment Policy of the County of Saratoga (“Saratoga County Investment Policy”); and

WHEREAS, pursuant to Resolution 240-2018, this Board of Supervisors authorized an agreement with Capital District Physicians’ Health Plan, Inc. (“CDPHP”) for the provision of medical and prescription health care insurance and administrative services for County employees for the term January 1, 2019 through December 31, 2019; and

WHEREAS, CDPHP utilizes JP Morgan Chase Bank, N.A. as its bank of operations for its healthcare insurance programs for all of CDPHP’s clients, and is therefore requiring the County to establish a depository account at JP Morgan Chase Bank, N.A. for the administration and payment of County employee healthcare claims processed through the County’s self-insured employee healthcare program; and

WHEREAS, pursuant to Section II, subsection A, subparagraph ii, of the Saratoga County Investment Policy, the Saratoga County Treasurer may only deposit County funds in “qualified banks”, which by definition are limited to banks that maintain a primary office, branch office, or other physical presence within Saratoga County; and

WHEREAS, JP Morgan Chase Bank, N.A. does not satisfy the criteria for being a qualified bank for the deposit of County funds in that it neither maintains a primary office, branch office nor other physical presence within Saratoga County; and

WHEREAS, Section II, subsection A, of the Saratoga County Investment Policy provides that in the event the County Treasurer should believe that a bank's failure to meet qualified status is temporary or extraordinary, that the circumstances causing such qualification failure do not present the County with an increased risk of the loss of capital, and that depositing funds into that bank or otherwise conducting business with that bank is in the County's best interests, the Treasurer may present to this Board his rationale for issuing or maintaining the bank's qualified status in exception to said Section, and the Board of Supervisors may elect to approve such exception thereby establishing the bank's qualified status; and

WHEREAS, the County Treasurer has rendered his opinion that he believes that the failure of JP Morgan Chase Bank, N.A. to meet "qualified bank" status is extraordinary, that depositing County funds with JP Morgan Chase Bank, N.A. does not present the County with an increased risk of loss of capital, and that depositing County funds with JP Morgan Chase Bank, N.A. for the purpose of facilitating the administration of the County's self-insured employee healthcare program is in the County's best interests; and

WHEREAS, based on his foregoing opinion, the County Treasurer has recommended that this Board approve JP Morgan Chase Bank, N.A. as a qualified bank pursuant to the provisions of General Municipal Law §10 and the Saratoga County Investment Policy for the purpose of facilitating the administration of the County's self-insured employee healthcare program; now, therefore, be it

RESOLVED, that pursuant to the provisions of General Municipal Law §10 and the Saratoga County Investment Policy, JP Morgan Chase Bank, N.A. is hereby approved and established as a qualified bank for the deposit of County funds; and be it further

RESOLVED, that the maximum amount which may be kept on deposit at any time at JP Morgan Chase Bank, N.A. is \$30,000,000, with all such sums deposited in excess of the amount insured under the provisions of the Federal Deposit Insurance Act to be secured in compliance with the provisions of General Municipal Law §10(3) and Section II, Subsection B, of the Saratoga County Investment Policy; and be it further

RESOLVED, that "Exhibit A - Qualified Banks and Maximum Total Deposit Amounts" of the Saratoga County Investment Policy is hereby amended accordingly; and be it further

RESOLVED, that the Clerk of this Board shall file a certified copy of this Resolution with the County Treasurer.

BUDGET IMPACT STATEMENT: No budget impact.

#### RESOLUTION 263 - 2018 (TABLED)

Introduced by Supervisors Tollisen, Allen, DeLucia, Pemrick, Raymond, Szczepaniak and Wright

#### ADOPTING 2019 SARATOGA COUNTY BUDGET

BE IT RESOLVED, that the tentative 2019 Saratoga County Budget, submitted by the Budget Officer on October 31, 2018, with amendments, if any, be, and the same hereby is, adopted.

#### RESOLUTION 264 – 2018 (TABLED)

Introduced by Supervisors Tollisen, Allen, DeLucia, Pemrick, Raymond, Szczepaniak and Wright

#### APPROPRIATING AMOUNTS FINALLY SET FORTH IN 2019 SARATOGA COUNTY BUDGET

WHEREAS, Resolution 263-2018 adopts, with certain amendments, the revised tentative 2019 Budget previously submitted by the Budget Officer; now, therefore, be it

RESOLVED, that the several amounts specified in the tentative 2019 Saratoga County Budget in the column entitled "Law and Finance Recommendations", with amendments, if any, be inserted by the Clerk of this

Board in the column entitled "Adopted", and that the total amounts as listed under each department heading be carried into the column entitled "Total"; and, be it further

RESOLVED, that, effective January 1, 2019, these total amounts are appropriated for the objects and purposes specified in the now-adopted 2019 Budget for the County of Saratoga.

BUDGET IMPACT STATEMENT: No budget impact.

#### RESOLUTION 265 - 2018

Introduced by Supervisors Tollisen, Allen, DeLucia, Pemrick, Raymond, Szczepaniak and Wright

#### SETTING DECEMBER 5, 2018 FOR PUBLIC HEARING ON REVISED TENTATIVE 2019 SARATOGA COUNTY BUDGET

WHEREAS, the Budget Officer timely submitted the tentative 2019 Budget on October 31, 2018 to this Board; and

WHEREAS, pursuant to Local Law 1-50, our Law and Finance Committee has reviewed and revised the tentative Budget; and

WHEREAS, on November 19, 2018 the entire Board reviewed and made revisions to the tentative Budget; and

WHEREAS, County Law Section 359 requires the conduct of a public hearing on the revised tentative budget before its adoption; now, therefore, be it

RESOLVED, that this Board of Supervisors shall hold a public hearing on the revised tentative 2019 Saratoga County Budget on December 5, 2018, at 4:30 P.M. at the Saratoga County Board of Supervisors Chambers, 40 McMaster Street, Ballston Spa, New York 12020; and, be it further

RESOLVED, that the Clerk of this Board give the required notice of this hearing by publication in The Saratogian and The Daily Gazette.

BUDGET IMPACT STATEMENT: No budget impact.

#### RESOLUTION 266 - 2018

Introduced by Supervisors Tollisen, Allen, DeLucia, Pemrick, Raymond, Szczepaniak and Wright

#### APPROVING THE 2019 TAX BILL FLYER IN ACCORDANCE WITH LOCAL LAW NO. 1 OF 2012 ESTABLISHING TRUTH IN TAXATION IN SARATOGA COUNTY

WHEREAS, pursuant to Resolution 151-12 this Board adopted Local Law No. 1 of 2012 establishing Truth in Taxation in Saratoga County in an effort to provide a legal mechanism by which Saratoga County property owners would receive accurate County property tax bill information and County budget information on an annual basis; and

WHEREAS, Section 3 of Local Law No. 1 of 2012 directs the County Administrator and County Director of Real Property Tax Services to prepare a Tax Bill Flyer summarizing financial information regarding the portion of each annual County property tax bill resulting from State and Federal mandates, and to present said Tax Bill Flyer to the Board of Supervisors concurrently with the presentation of the tentative budget for the following year; and

WHEREAS, Section 3 of Local Law No. 1 of 2012 further requires this Board of Supervisors to annually approve the contents of said Tax Bill Flyer at the Board's regular meeting during the month of November, and to authorize by resolution the manner by which said Tax Bill Flyer will be disseminated to Saratoga County property owners and the public; and

WHEREAS, the County Administrator and County Director of Real Property Tax Services have submitted to this Board for approval the Tax Bill Flyer for 2018 attached hereto as Exhibit A; and

WHEREAS, our Law and Finance Committee has recommended the approval of the attached 2019 Tax Bill Flyer; now, therefore, be it

RESOLVED, in accordance with Local Law No. 1 of 2012, this Board of Supervisors hereby approves the 2019 Tax Bill Flyer attached hereto as Exhibit A; and, be it further

RESOLVED, that said 2019 Tax Bill Flyer shall be included as an enclosure with each 2019 Saratoga County property tax bill when mailed, and shall be posted on the County of Saratoga’s website at [www.saratogacountyny.gov](http://www.saratogacountyny.gov) by no later than January 1, 2019.

BUDGET IMPACT STATEMENT: No budget impact.

EXHIBIT A



YOUR PROPERTY TAXES...

The Saratoga County Board of Supervisors is providing this information to all property taxpayers in Saratoga County to inform them about how State & Federal mandates affect their annual property tax bills.

- The 2019 County General Fund Budget totals \$260,862,642. Of that amount, \$97,621,098 is for programs mandated by New York State Government with a net cost of \$63,204,077 to the taxpayers of Saratoga County. County government has little or no control over these costs.

*“Mandates” are Federal or State created programs that are required to be operated by lower level governments. In New York State, most of these mandates are not accompanied by State money to pay for them or are only partially paid for. Because County government relies upon property taxes to operate, expensive State mandates become expensive property taxes on local taxpayers.*

New York State Unfunded Mandates

Medicaid	\$25,020,000
Pensions	9,775,482
Community Colleges	8,500,000
Early Intervention & Pre-School	6,800,465
Social Services	8,855,636
Probation	2,236,786
Legal Defense	1,357,023
Public Health Early Intervention	<u>658,685</u>
	\$63,204,077

- In 2019, these Unfunded Mandates will consume 100% of the \$60,640,155 Property Tax Levy. This means that all County property taxes and an additional \$2,563,922 from sales tax revenue will be spent covering these State mandates.

STATE & FEDERAL REPRESENTATIVES

NYS Governor:  
 Andrew M. Cuomo  
 Executive Chamber  
 NYS Capitol Building  
 Albany, NY 12224  
 (518) 474-8390  
[governor.ny.gov](http://governor.ny.gov)

NYS Senator Dist. 43  
 Daphne Jordan  
 Legislative Office Building  
 Albany, NY 12247  
 (518) 455-2381  
[jordan@nysenate.gov](mailto:jordan@nysenate.gov)

NYS Senator Dist. 49

James Tedisco  
Legislative Office Building  
Albany, NY 12247  
(518) 455-2181  
[tedisco@nysenate.gov](mailto:tedisco@nysenate.gov)

Website: [Tonko.house.gov](http://Tonko.house.gov)

Elise Stefanik  
120 Washington Street  
Suite 200  
Watertown, NY 13601-3370  
(315) 782-3150  
Website: [Stefanik.house.gov](http://Stefanik.house.gov)

NYS Assemblyman:District 108

John T. McDonald, III  
Legislative Office Building 417  
Albany, NY, 12248  
(518) 455-4474

District 112

Mary Beth Walsh  
Legislative Office Building 725  
Albany, NY 12248  
(518) 455-5772  
[walshm@nyassembly.gov](mailto:walshm@nyassembly.gov)

District 113

Carrie Woerner  
Legislative Office Building 323  
Albany, NY 12248  
(518) 455-5404  
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District 114

Dan Stec  
Legislative Office Building 940  
Albany, NY, 12248  
(518) 455-5565  
[StecD@nyassembly.gov](mailto:StecD@nyassembly.gov)

United States Senators:

Charles Schumer  
Leo O'Brien Building  
Room 420  
Albany, NY 12207  
(518) 431-4070  
Website: [Schumer.senate.gov](http://Schumer.senate.gov)

Kirsten Gillibrand  
Leo O'Brien Building  
Room 821  
Albany, NY 12207  
(518) 431-0120  
Website: [gillibrand.senate.gov](http://gillibrand.senate.gov)

United States Congressmen:

Paul Tonko  
61 Columbia St. 4<sup>th</sup> Floor  
Albany, NY 12210  
(518) 465-0700

## RESOLUTION 267 - 2018

Introduced by Supervisors Pemrick, Gaston, Ostrander, Raymond, Schopf, Winney and Wood

ADOPTING A LOCAL LAW IDENTIFIED AS INTRODUCTORY NO. 3, PRINT NO. 1 OF 2018 ENTITLED "A LOCAL LAW REQUIRING PAYMENT IN LIEU OF TAXES (PILOT) AGREEMENTS FOR SOLAR ENERGY SYSTEMS LOCATED OR INSTALLED IN SARATOGA COUNTY"

WHEREAS, Resolution 217-2018 introduced and presented a proposed Local Law identified as Introductory No. 3, Print No. 1 of 2018, to this Board of Supervisors and scheduled a public hearing thereon for November 14, 2018 at 4:20 P.M. in the Meeting Room of the Saratoga County Board of Supervisors, 40 McMaster Street, Ballston Spa, New York; and

WHEREAS, notice of that public hearing was duly published and posted as required by law; and

WHEREAS, the scheduled public hearing was held and all persons appearing or desiring to be heard have been heard by this Board; now, therefore, be it

RESOLVED, that this Board of Supervisors, on this 20<sup>th</sup> day of November, 2018 hereby adopts a Local Law identified as Introductory No. 3, Print No. 1 of 2018, as set forth in the annexed Schedule A, which once filed with the Secretary of State of the State of New York shall be known as Local Law No. 4 of 2018.

BUDGET IMPACT STATEMENT: No budget impact.

## SCHEDULE A

INTRODUCTORY NO. 3 OF 2018

PRINT NO. 1

INTRODUCED BY: Supervisors Pemrick, Gaston, Ostrander, Raymond, Schopf, Winney and Wood

COUNTY OF SARATOGA - LOCAL LAW NO. 4 OF 2018

A LOCAL LAW REQUIRING PAYMENT IN LIEU OF TAX (PILOT)  
AGREEMENTS FOR SOLAR ENERGY SYSTEMS LOCATED  
OR INSTALLED IN SARATOGA COUNTY

SECTION 1. TITLE

This Local Law shall be known as "A Local Law Requiring Payment in Lieu of Tax (PILOT) Agreements for Solar Energy Systems Located or Installed in Saratoga County."

SECTION 2. PURPOSE

This Local Law is adopted to ensure that the benefits of solar energy resource are available to Saratoga County residents, by promoting the installation of solar energy generating equipment through a payment-in-lieu-of-taxes (PILOT), granting reduced costs to system developers and energy consumers, and providing a revenue stream to local communities.

SECTION 3. AUTHORITY

This Local Law is adopted under the authority granted by:

1. Article IX of the New York State Constitution, §2(c)(8),
  2. New York Statute of Local Governments, §10 (5),
  3. New York Municipal Home Rule Law, §10 (1)(i) and (ii) and §10 (1)(a)(8),
- and

#### 4. New York Real Property Tax Law §487(9).

### SECTION 4. DEFINITIONS

1. "AC" means alternating current.
2. "Annual Payment" means the payment due under a PILOT Agreement entered into pursuant to Real Property Tax Law § 487(9), as the same may be amended, superseded or replaced.
3. "Annual Payment Date" means January 1<sup>st</sup> of each year for the duration of the PILOT Agreement.
4. "Capacity" means the manufacturer's nameplate capacity of the Solar Energy System as measured in kilowatts (kW) or megawatts (MW) AC.
5. "Owner" means the owner of the property on which a Solar Energy System is located or installed, or their lessee, licensee or other person authorized to install and operate a Solar Energy System on the property.
6. "Residential Solar Energy Systems" means a Solar Energy System with a nameplate generating capacity less than 50 kW AC in size, installed on the roof or the property of a residential dwelling (including multi-family dwellings), and designed to serve that dwelling.
7. "SBL number" means Section-Block-Lot number on the County of Saratoga's Real Property Tax maps.
8. "Solar Energy Equipment" means collectors, controls, energy storage devices, heat pumps and pumps, heat exchangers, windmills, and other materials, hardware or equipment necessary to the process by which solar radiation is (i) collected, (ii) converted into another form of energy such as thermal, electrical, mechanical or chemical, (iii) stored, (iv) protected from unnecessary dissipation and (v) distributed. It does not include pipes, controls, insulation or other equipment which are part of the normal heating, cooling, or insulation system of a building. It does include insulated glazing or insulation to the extent that such materials exceed the energy efficiency standards required by New York law.
7. "Solar Energy System" means an arrangement or combination of Solar Energy Equipment designed to provide heating, cooling, hot water, or mechanical, chemical, or electrical energy by the collection of solar energy and its conversion, storage, protection and distribution.

### SECTION 5. PILOT REQUIRED

1. The owner of a property on which a Solar Energy System is located or installed (including any improvement, reconstruction, or replacement thereof), shall enter into a PILOT Agreement with the County of Saratoga consistent with the terms of this Local Law, except for:
  - a) Residential Solar Energy Systems; and
  - b) Solar Energy Systems that do not seek or qualify for an exemption from real property taxes pursuant to Real Property Tax Law § 487(4) as the same may be amended, superseded or replaced.
2. The Lessee or licensee of any owner of a property required to enter into a PILOT Agreement by this section, which owns or controls the Solar Energy System, may enter into the PILOT Agreement on behalf of the owner of the property.
3. Any owner or developer of a solar energy system that meets the requirements under Real Property Tax Law §487(4) MUST notify the Saratoga County Real Property Tax Services Agency via certified mail of its intent to construct a solar energy system. Such notice must be sent to: Director of Real Property Tax Services, Saratoga County Real Property Tax Services Agency, 35 West High Street, Ballston Spa, New York, 12020. Upon receipt of such notification from an owner, developer or other person of intent to install a Solar Energy System, the Director of Real Property Tax Services or his or her designee shall immediately, but in no case more than sixty (60) days after receipt of the notification, notify the owner, developer or other person by certified mail of the mandatory requirement for a PILOT Agreement pursuant to the terms of this Local Law.
4. In the event of the failure of an owner, developer or other person of a Solar Energy System to provide the County of Saratoga with the sixty (60) days' notice of intent to install such Solar Energy System as required by

the foregoing Subsection 3, the County may, at its option, require the owner, developer or other person to enter into a PILOT Agreement for the full amount of the real property taxes that would otherwise be due but for the real property tax exemption authorized by Real Property Tax Law §487.

5. The failure or refusal of an owner, developer or other person of a Solar Energy System to enter into and execute a PILOT agreement with the County of Saratoga as required by this law, shall result in the real property on which such solar energy system is situated being ineligible for the real property tax exemption authorized by Real Property Tax Law §487.

6. Nothing in this Local Law shall exempt any requirement for compliance with state and local codes for the installation of any solar energy equipment or a solar energy system, or authorize the installation of any solar energy equipment or a solar energy system. All solar energy systems must file a Real Property Tax Exemption application pursuant to Real Property Tax Law § 487 to receive a tax exemption.

7. The Annual Payments under the PILOT Agreement shall not exceed the amounts that would be otherwise payable but for the exemption under Real Property Tax §487 as the same may be amended, superseded or replaced.

#### SECTION 6. Contents of PILOT Agreements

1. Each PILOT Agreement entered into shall include:

- a) Name and contact information of the Owner or other party authorized to act upon behalf of the Owner of the Solar Energy System.
- b) The SBL number for each parcel or portion of a parcel on which the Solar Energy System will be located.
- c) A requirement for fifteen successive annual payments, to be paid commencing on the first Annual Payment Date after the effective date of the Real Property Tax Exemption granted pursuant to Real Property Tax Law § 487 as the same may be amended, superseded or replaced.
- d) The Capacity of the Solar Energy System, and that if the Capacity is increased or decreased as a result of a system upgrade, replacement, partial removal or retirement of Solar Energy Equipment, the annual payments shall be increased or decreased on a pro rata basis for the remaining years of the Agreement.
- e) That the parties agree that under the authority of Real Property Tax Law § 487 as the same may be amended, superseded or replaced, the Solar Energy System shall be considered exempt from real property taxes for the fifteen-year life of the PILOT Agreement.
- f) That the PILOT Agreement may not be assigned without the prior written consent of the County of Saratoga, which consent may not be unreasonably withheld if the Assignee has agreed in writing to accept all obligations of the Owner, except that the Owner may, with advance written notice to the County of Saratoga but without prior consent, assign its payment obligations under the PILOT Agreement to an affiliate of the Owner or to any party who has provided or is providing financing to the Owner for or related to the Solar Energy System, and has agreed in writing to accept all payment obligations of the Owner.
- g) That a Notice of this Agreement may be recorded by the Owner at its expense, and that the County of Saratoga shall cooperate in the execution of any Notices or Assignments with the Owner and its successors.
- h) That the Annual Payment for Solar Energy Systems with a Capacity greater than 1 MW shall be \$3,500 per MW of Capacity.

- i) That the Annual Payment shall escalate \$50.00 per MW per year over the amount of the previous year's Annual Payment, starting with the second Annual Payment.
- j) That if the Annual Payment is not paid when due, that upon failure to cure within thirty (30) days, the County of Saratoga may cancel the PILOT Agreement without notice to the Owner, and the Solar Energy System shall thereafter be subject to taxation at its full assessed value.
- k) In addition, if the Annual Payment is not paid when due, a late fee equal to twelve percent (12%) of the amount due shall be assessed on an annual basis.

#### SECTION 7. SEVERABILITY

Should any provision of this Local Law be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of this Local Law as a whole or any part thereof other than the part so decided to be unconstitutional or invalid.

#### SECTION 8. EFFECTIVE DATE

This Local Law shall be effective upon its filing with the Secretary of State in accordance with the Municipal Home Rule Law, and shall apply to all solar energy systems constructed.

Mr. Kinowski introduced David DeCelle to the Board and welcomed him as the newest Saratoga County Coroner.

Mr. DeLucia read the following:

“Dear Chairman Kinowski:

This letter is my formal notice that, effective at 6:20 p.m. on Monday, November 26, 2018, I will resign as Town of Malta Supervisor. Therefore, I will also be removed from serving as an active member of the Saratoga County Board of Supervisors.

I was blessed and honored to have had the honor and support from Malta to represent our Town at the County level and to have served on a number of County committees. It was an exciting as well as humbling experience to have worked with and get to interact with such an extraordinary group of committed individuals who are totally dedicated to serve the residents of their Towns and the County at large.

The success of their efforts is clear evidence of your diligence, wisdom and intelligent planning and decision making. Your success can easily be measured by the displayed envy of those who are striving to live in our County. Because of our wisely chosen diverse economy, career opportunities and low property taxes, as well as meaningful, fair and well-balanced public services, we are one of if not the fastest growing Counties in this State. All of this is possible because of such wonderful people striving to do the very best for their Towns and collectively as one solid team, the County. All of the staff, department supervisors and elected officials deserve great praise for their cooperation and tremendous efforts to make the vision and direction of the County a reality.

My decision to leave office is a difficult one because of this wonderful team I've been part of. That includes every Board member and every outstanding staff member and Supervisor of each and every department. I thank you for your camaraderie, support, cooperation and friendship. However, I must now move on to more fully dedicate my time to my fantastic wife of fifty-three years (who I started dating when we were sixteen) and my family, including my eight-month old grandson and five-year-old granddaughter.

I wish all of you continued success and God's blessing. As a resident, I have utmost confidence that our Towns and County will continue to shine.

Sincerely,

Vincent R. DeLucia

Mr. Lawler said the Saratoga County Water Authority has received a \$3.2M grant toward the Authority's \$8M expansion. This expansion will bring water to the southern portion of the County.

On a motion by Mr. DeLucia, seconded by Mr. Allen the meeting was adjourned to the special meeting of the Board on December 12, 2018.

Respectfully submitted,

Pamela Wright  
Clerk of the Board